

ENTERED

April 29, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

EDGAR HERNAN SALMERON-LUNA,
Petitioner,

V.

UNITED STATES OF AMERICA,
Respondent.

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CIVIL ACTION NO. B-13-098
CRIMINAL NO. B-11-577-1

ORDER

Pending is the Magistrate Judge's March 17, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 12] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Report and Recommendation is hereby adopted. Therefore, Edgar Hernan Salmeron-Luna's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is dismissed on the basis that Salmeron-Luna has waived his right to file the instant petition. Alternatively, it is denied as meritless. Further, the Certificate of Appeal is denied.

Signed this 29th day of April, 2016.



Andrew S. Hanen
United States District Judge